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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,637	12/20/2000	Pantelis Monogioudis	12-31	5635

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HOLMDEL, NJ 07733

EXAMINER

MILLER, BRANDON J

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 04/10/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/741,637

Applicant(s)

MONOGIOUDIS ET AL.

Examiner

Brandon J Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saario in view of Corbett.

Regarding claim 1 Saario teaches a method for use in wireless equipment and receiving user channel transmit-power information from base stations to user equipment (see abstract and col. 4, lines 60-62). Saario teaches receiving information from user equipment, wherein wireless equipment determines a reference user transmit power level for use by the base stations as a function of a received user channel transmit power information and the received information from user equipment (see abstract and col. 8, lines 2-26). Saario does not teach a base station involved in a soft handoff with user equipment. Corbett teaches a base station involved in a soft handoff with user equipment (see col. 5, lines 22-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saario adapt to include a base station involved in a soft handoff with user equipment because this would allow for determination of a reference power level for diversity handover base stations in downlink transmit power control.

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Regarding claim 2 Saario teaches received information from user equipment with at least one parameter that is a function of a measured signal-to-noise ratio in user equipment (see abstract and col. 5, lines 18-26).

Regarding claim 3 Saario teaches a value representative of an excess signal-to-noise ratio determined as a function of a target signal-to-noise ratio value and a signal-to-noise ratio associated with a received user channel transmit power signal that is stronger than at least some base stations (see abstract and col. 8, lines 2-26).

Regarding claim 4 Saario teaches receiving user channel transmit power information from a base station to user equipment (see abstract and col. 4, lines 60-62). Saario teaches receiving information from user equipment and a signal-to-noise ratio value associated with a base station (see abstract and col. 8, lines 2-26). Saario teaches determining a downlink reference power from a received user channel transmit power information and received information from user equipment; and transmitting a determined downlink reference power to a base station (see col. 2, lines 55-58 and col. 8, lines 2-26). Saario does not teach a base station involved in a soft handoff with user equipment or an identifier of a base station with a received signal at user equipment that is stronger than other base stations. Corbett teaches a base station involved in a soft handoff with user equipment (see col. 5, lines 22-27). Corbett also teaches an identifier of a base station with a received signal at user equipment that is stronger than other base stations (see col. 7, lines 51-55 and col. 8, lines 35-42 & 49-53). It would have been obvious at the time the invention was made to make the Saario adapt to include a base station involved in a soft handoff with user equipment or an identifier of a base station with a received signal at user equipment that is stronger than other base stations because this would allow for

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correct transmit power to be selected for obtaining a required signal-to-noise ratio in communications between user equipment and several base stations.

Regarding claim 5 Saario teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 6 Saario teaches calculating a signal-to-noise ratio value associated with a base station (see abstract and col. 8, lines 2-26). Saario teaches transmitting a calculated signal-to-noise ratio to a control point of a wireless system (see col. 7, lines 1-5 & 46-56). Saario does not teach a soft handoff with a number of base stations, identifying that a base station with a received signal at wireless equipment is stronger than other base stations, or transmitting the identity of a base station to a control point of a wireless system. Corbett teaches a base station involved in a soft handoff with user equipment (see col. 5, lines 22-27). Corbett teaches an identifier of a base station with a received signal at user equipment that is stronger than other base stations (see col. 7, lines 51-55 and col. 8, lines 35-42 & 49-53). Corbett teaches transmitting the identity of a base station to a control point of a wireless system (see col. 7, lines 51-55 and col. 8, lines 34-42). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saario adapt to include a soft handoff with a number of base stations, identifying that a base station with a received signal at wireless equipment is stronger than other base stations, or transmitting the identity of a base station to a control point of a wireless system because this would allow for correct transmit power to be selected for obtaining a required signal-to-noise ratio in communications between user equipment and several base stations.

Regarding claim 7 Corbett teaches a common control point (see col. 5, lines 1-7).

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Regarding claim 8 Saario teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 9 Saario teaches receiving user channel transmit-power information from base stations to user equipment (see abstract and col. 4, lines 60-62). Saario teaches receiving information from user equipment, a processor for determining a reference user transmit power level for use by the base stations as a function of a received user channel transmit power information and the received information from user equipment (see abstract, col. 7, lines 27-28 and col. 8, lines 2-26). Saario does not teach a base station involved in a soft handoff with user equipment. Corbett teaches a base station involved in a soft handoff with user equipment (see col. 5, lines 22-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saario adapt to include a base station involved in a soft handoff with user equipment because this would allow for determination of a reference power level for diversity handover base stations in downlink transmit power control.

Regarding claim 10 Saario teaches a device as recited in claim 2 and is rejected given the same reasoning as above.

Regarding claim 11 Saario teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 12 Saario teaches a transceiver for receiving user channel transmit power information from a base station to user equipment (see abstract and col. 4, lines 60-62). Saario teaches receiving information from user equipment and a signal-to-noise ratio value associated with a base station (see abstract and col. 8, lines 2-26). Saario teaches a processor for determining a downlink reference power from a received user channel transmit power

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information and received information from user equipment; and transmitting a determined downlink reference power to a base station (see col. 2, lines 55-58, col. 7, lines 27-28 and col. 8, lines 2-26). Saario does not teach a base station involved in a soft handoff with user equipment or an identifier of a base station with a received signal at user equipment that is stronger than other base stations. Corbett teaches a base station involved in a soft handoff with user equipment (see col. 5, lines 22-27). Corbett also teaches an identifier of a base station with a received signal at user equipment that is stronger than other base stations (see col. 8, lines 35-42 & 49-53). It would have been obvious at the time the invention was made to make the Saario adapt to include a base station involved in a soft handoff with user equipment or an identifier of a base station with a received signal at user equipment that is stronger than other base stations because this would allow for correct transmit power to be selected for obtaining a required signal-to-noise ratio in communications between user equipment and several base stations.

Regarding claim 13 Saario teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 14 Saario teaches a processor for calculating a signal-to-noise ratio value associated with a base station (see abstract, col. 7, lines 27-28 and col. 8, lines 2-26). Saario teaches transmitting a calculated signal-to-noise ratio to a control point of a wireless system (see col. 7, lines 1-5 & 46-56). Saario does not teach a soft handoff with a number of base stations, identifying that a base station with a received signal at wireless equipment is stronger than other base stations, or transmitting the identity of a base station to a control point of a wireless system. Corbett teaches a base station involved in a soft handoff with user equipment (see col. 5, lines 22-27). Corbett teaches an identifier of a base station with a received signal at

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user equipment that is stronger than other base stations (see col. 7, lines 51-55 and col. 8, lines 35-42 & 49-53). Corbett teaches transmitting the identity of a base station to a control point of a wireless system (see col. 7, lines 51-55 and col. 8, lines 34-42). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saario adapt to include a soft handoff with a number of base stations, identifying that a base station with a received signal at wireless equipment is stronger than other base stations, or transmitting the identity of a base station to a control point of a wireless system because this would allow for correct transmit power to be selected for obtaining a required signal-to-noise ratio in communications between user equipment and several base stations.

Regarding claim 15 Corbett teaches a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 16 Corbett teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saario in view of Corbett and Korpela.

Regarding claim 17 Saario teaches a value associated with a signal-to-noise measure of a received signal from a base station at user equipment (see abstract and col. 8, lines 2-26). Saario does not teach a transmission frame representing data embodied in a wireless transmission signal, a first portion of a field with at least one bit for conveying data representative of an identifier for identifying a base station whose received signal at user equipment is stronger than other received signals from other base stations, or a second portion for a field with at least one bit for conveying data representative of a value associated with a signal-to-noise measure.



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Corbett teaches an identifier of a base station with a received signal at user equipment that is stronger than other base stations (see col. 7, lines 51-55 and col. 8, lines 35-42 & 49-53).

Corbett also teaches one or more bits, which indicate a desired increase in transmit power or any bit assignment possible (see col. 6, lines 31-35). Korpela teaches a transmission frame representing data embodied in a wireless transmission (see col. 6, lines 25-28 and Fig. 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Saario adapt to include a transmission frame representing data embodied in a wireless transmission signal, a first portion of a field with at least one bit for conveying data representative of an identifier for identifying a base station whose received signal at user equipment is stronger than other received signals from other base stations, or a second portion for a field with at least one bit for conveying data representative of a value associated with a signal-to-noise measure because this would allow for dynamic adjustment of power control that attempts to maintain either the transmit power of a signal or the signal-to-noise ratio above a threshold.

Regarding claim 18 Korpela teaches a radio resource control based protocol (see col. 5, lines 35-38).

Regarding claim 17 Korpela teaches physical layer signaling (see col. 2, lines 10-15).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Soliman U.S Patent No. 6,490,460 discloses forward and reverse link power control using position and mobility information.

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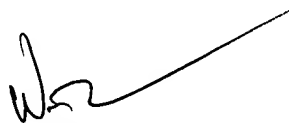
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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April 1, 2003



**WILLIAM TROST**  
**SUPERVISORY PATENT EXAMINER**  
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